

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the Southern California Water Company (U 133 W) for an order authorizing it to increase rates for water service by \$18,972,300 or 24.17% in 2006; by \$1,534,500 or 1.57% in 2007; and by \$1,493,900 or 1.50% in 2008 in its Region III Service Area.

Application 05-02-004
(Filed February 1, 2005)

**ADMINISTRATIVE LAW JUDGE'S RULING
ADOPTING PROCEDURES FOR PREPARATION OF TABLES**

Summary

This ruling adopts procedures governing the production of Southern California Water Company's (SCWC) results of operations model to generate tables needed for decision support.

Background

The Commission relies on the Water Division to produce tables that reflect and support the Administrative Law Judge's (ALJ) proposed decision, any alternate decision, and the Commission's final decision in general rate cases. In this proceeding, the Water Division requires SCWC's and the Office of Ratepayer Advocates' (ORA) assistance to produce the tables needed for decision support. To avoid the possibility that a party would gain an unfair advantage through obtaining information about any decision prior to public issuance, the following procedures will be adopted to govern the production of tables.

SCWC and ORA representatives, who assist the Water Division, will be required to comply with a Protective Order. The Protective Order will govern

the use of protected materials, including confidential written or oral communications from the Commission's Water Division or ALJ Division relating to the contents of any decision prior to public issuance. Attached to this Ruling are procedures based on those previously adopted in Application (A.) 02-05-004 et al., and A.04-12-014.

IT IS RULED that in order to assure the confidentiality of the Commission's deliberative process, the Modeling Procedures set forth in Attachment 1 to this ruling, and the attendant Protective Order set forth in Attachment 2 to this ruling, are hereby adopted.

Dated October 28, 2005, at San Francisco, California.

/s/ MARIBETH A. BUSHEY

Maribeth A. Bushey
Administrative Law Judge

ATTACHMENT 1

MODELING PROCEDURES

Upon request of the Water Division Director or his designee(s), Southern California Water Company (SCWC) and/or the Office of Ratepayer Advocates (ORA) will provide all necessary assistance to the Water Division in preparing the results of operations and other associated tables and tariffs for any decision in this proceeding. The following requirements shall govern this process:

Model run(s) shall be performed at the Commission offices under the supervision, oversight, and control of the Water Division Director and his designee(s).

Model run(s) shall be performed using computer hardware, software, and media installed or placed in the Commission Offices. All such hardware, software, and media, and all related notes, worksheets, workpapers and computer output, shall remain in the custody of the Water Division Director or his designee(s), and shall not be removed from the Commission Offices until 30 days after issuance of a final Commission decision which incorporates the model run, provided, however, that to the extent needed for issuance of the decision and issuance of supporting workpapers, media, notes, worksheets, and computer output may be released on and after the date of issuance of the proposed or alternate decision.

Before obtaining access to any information contained in or pertaining to any decision prior to the issuance of a final decision, each employee, agent, or representative of SCWC and/or representative of ORA involved in the modeling shall sign a certificate assuring compliance with the protective order attached hereto.

The Water Division Director or his designee(s), shall determine that each SCWC employee, agent, or representative and representative of ORA who receives access to information about the contents of any decision has first signed a certificate of compliance with the protective order.

(END OF ATTACHMENT 1)

ATTACHMENT 2

PROTECTIVE ORDER

1. This Protective Order shall govern the use by Southern California Water Company (SCWC) or any of its employees, representatives or agents and representatives of the Commission's Office of Ratepayer Advocates (ORA) of all protected materials as defined herein. "Protected Materials" include confidential written or oral communications from the staff of the Commission's Water Division or ALJ Division, or any Commissioner or Commissioner's advisor, which reflect or relate to the contents of any decision prior to the public issuance of a final decision in A.05-02-004. "Protected Materials" also include all computer hardware, software or media, notes, worksheets, workpapers, computer inputs, computer outputs, or any other documents which relate to these written or oral communications from the Water Division staff.
2. The term "Certificate of Compliance" shall mean the certificate annexed hereto by which SCWC employees, representatives or agents, and/or representatives of ORA who will be granted access to Protected Materials, shall certify their understanding that access to Protected Materials is provided pursuant to the terms and restrictions of this Protective Order, and that they have read the Protective Order and agree to be bound by it. No SCWC employee, representative or agent, or representative of ORA will be permitted access to any Protected Materials without first having signed and dated a Certificate of Compliance. Prior to such access, SCWC and ORA shall provide the Commission's Water Division with the original of each Certificate of Compliance that has been executed, and shall file and serve a copy of each Certificate of Compliance on all parties on the Commission's service list in this proceeding.
3. The term "Reviewing Representative" shall mean each SCWC employee, representative or agent, and representative of ORA who has signed a Certificate of Compliance and been granted access to the Protected Materials. Each Reviewing Representative shall treat as confidential the Protected Materials and shall not disclose in any manner any information contained in or relating to the Protected Materials to any person, except another Reviewing Representative or an employee of the Commission involved in the decision-making process in this proceeding (excluding ORA employees not having

signed the certificate of compliance with the Protective Order), until after issuance of a final decision in A.05-02-00.

4. A supervisor in SCWC management or ORA management, who has authority over each Reviewing Representative, shall instruct each Reviewing Representative to read and agree to comply with this Protective Order. The supervisor in SCWC management or ORA management shall also take all reasonable and necessary steps to ensure that no person attempts to learn from any Reviewing Representative the contents of any Protected Materials prior to the issuance of the final decision A.05-02-004.
5. Any violation of this Protective Order shall constitute a violation of an order of the Commission.

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CERTIFICATE OF COMPLIANCE

I hereby certify my understanding that access to Protected Materials is provided to me pursuant to the terms and restrictions of the Protective Order in this proceeding, that I have been given a copy of and read the Protective Order, and that I agree to be bound by it. I understand that the contents of the Protected Materials and any notes or any other form of information that relates to the Protected Materials shall not be disclosed to any person other than in accordance with that Protective Order. I acknowledge that a violation of this certificate constitutes a violation of an order of the Public Utilities Commission of the State of California.

By: _____

Title: _____

Date: _____

(END OF ATTACHMENT 2)

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Adopting Procedures for Preparation of Tables on all parties of record in this proceeding or their attorneys of record.

Dated October 28, 2005, at San Francisco, California.

/s/ERLINDA PULMANO

Erlinda Pulmano

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.